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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,187	08/17/2001	Randy Mersky	0718.0009C	1383

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EXAMINER
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WORJLOH, JALATEE

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/931,187

Applicant(s)

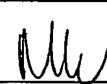
MERSKY ET AL.

Examiner

Jalatee Worjloh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5-20-01</u> | 6) <input type="checkbox"/> Other: _____  |

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### DETAILED ACTION

1. Claims 1-59 have been examined.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1,2, 6-11, 17-25, 27-31, 35-40, 46-54 and 57-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6289325 to Nakamura et al in view of US Publication No. 2001/0044787 to Shwartz et al.

Nakamura et al. disclose an agent processor (i.e. "customer agent"), disposed at said remote site and accessing said network, to receive a customer selection of a desired transaction and customer transaction information and to processor a customer payment manually tendered at said remote site for said customer selected transaction (see col. 4, lines 28-35), a transaction process (i.e. "shop agent"), in communication with said agent processor and said provider processing systems via said network, for receiving said customer selection and customer transaction information from said agent processor and facilitating performance of said customer selected transaction, said transaction processor (see col. 4, lines 22-28) including a communication module (i.e. "transmission path") to access a particular network site of a provider processing system performing said customer selected transaction (see col. 4, lines 36-38) and a transaction information module (i.e. "manager") to examine said accessed network site determine information required by

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said accessed network site to conduct said customer selected transaction (see col. 4, lines 65-67; col. 5, lines 1-2). Nakamura et al. do not expressly disclose a transaction information module to transmit an information request to said agent processor requesting a portion of said required information or a transaction performance module to receive said customer transaction information from said agent processor in response to said information request and to transmit said required information portion and payment information associated with a third party to said particular provider processing system in order to conduct said transaction. Shwartz et al. disclose a transaction information module to transmit an information request to said agent processor requesting a portion of said required information (see paragraph [0182]) and a transaction performance module (i.e. "back end gateway") to receive said customer transaction information from said agent processor in response to said information request (see paragraphs [0183] and [0184]) and to transmit said required information portion and payment information associated with a third party to said particular provider (i.e. "electronic commerce site") processing system in order to conduct said transaction (see paragraph [0190]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include a transaction information module to transmit an information request to said agent processor requesting a portion of said required information and a transaction performance module to receive said customer transaction information from said agent processor in response to said information request and to transmit said required information portion and payment information associated with a third party to said particular provider processing system in order to conduct said transaction. One of ordinary skill in the art would have been

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motivated to do this because it “improve the ease and safety of electronic commerce for consumers” (see Schwartz paragraph [0014]).

Referring to claim 2, Nakamura et al. disclose a transaction processor (see claim 1 above). Nakamura et al. do not expressly disclose a verification module to request verification information from said agent processor and to initiate transaction processing in response to verifying said verification information received from said agent processor. Schwartz et al. disclose a verification module to request verification information from said agent processor and to initiate transaction processing in response to verifying said verification information received from said agent processor (see paragraph [0185]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include a verification module to request verification information from said agent processor and to initiate transaction processing in response to verifying said verification information received from said agent processor. One of ordinary skill in the art would have been motivated to do this because it provides security.

Referring to claims 6 and 23, Nakamura et al. disclose a transaction information module (see claims 1 & 22). Nakamura et al. do not expressly disclose an examination module to determine the information required by said accessed network site to conduct said customer selected transaction and a request generation module to generate said information request in the form of an entry for display by said agent processor, wherein said entry screen includes fields to receive said required information portion. Schwartz et al. disclose a request generation module (i.e. ‘back-end gateway’) to generate said information request in the form of an entry screen for display by said agent processor,

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wherein said entry screen includes fields to receive said required information portion (see paragraphs [0172]-[0174]). As for an examination module, this is an inherent component; that is, before requesting required information (as taught by Nakamura et al.), it must first be determined. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include an examination module and a request generation module. One of ordinary skill in the art would have been motivated to do this because it ensures that all the necessary information is provided for verification.

Referring to claims 7 and 24, Nakamura et al. a transaction performance module (see claim 1 &22). Nakamura et al. do not expressly disclose an extraction module to retrieve said customer transaction information from said fields of said entry screen received from said agent processor, an insertion module to place said retrieved information in corresponding fields of said accessed network site, a payment module to place said payment information within corresponding fields of said accessed network site in order to tender payment for said customer selected transaction. Shwartz et al. disclose an insertion module to place said retrieved information in corresponding fields of said accessed network site (see paragraph [0173]), a payment module to place said payment information within corresponding fields of said accessed network site in order to tender payment for said customer selected transaction (see paragraphs [0177]-[180]). As for the extraction module, this is an inherent component; that is, before inserting the information in the fields it must have been retrieved. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include an extraction module, an insertion module and a payment

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module. One of ordinary skill in the art would have been motivated to do this because it provides convenience to the customer by automatically filling the form.

Referring to claim 8, Nakamura et al. disclose a transaction storage module to store information relating to said customer selected transaction within a data storage unit (see col. 6, lines 55-58).

Referring to claims 9 and 25, Nakamura et al. disclose a transaction processor (see claim 1 above). Nakamura et al. do not expressly disclose a confirmation module. Shwartz et al. disclose a confirmation module to receive confirmation information from said particular provider processing system in response to said particular system processing said customer selected transaction and to process said received confirmation information to produce confirmed transaction information for transference to said agent processor (see paragraph [0196]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose a confirmation module. One of ordinary skill in the art would have been motivated to do this because it ensures that the provider agrees with the transaction.

Referring to claim 10, Nakamura et al. disclose a data storage unit (see col. 6, lines 55-58). Nakamura et al. do not expressly disclose storing information relating to said confirmation information. However, this difference is only found in the nonfunctional descriptive material and is not functionally in the system. The process of storing information would be performed the same regardless of the type of data. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *in re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994). Therefore, it

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would have been obvious to a person of ordinary skill in the art at the time the invention was made to store any type of data because the subjection interpretation of data does not patentably distinguish the claimed invention.

Referring to claim 11, Nakamura et al. disclose an agent process (see claim 1 above). Nakamura et al. do not expressly disclose a confirmation display module. However, a confirmation display module to process said confirmed transaction information received from said transaction processor in order to display a confirmation that said customer selected transaction has been process is an inherent component. The confirmation module of claim 9 receives confirmation information; thus, once the information is received it must be displayed.

Referring to claims 17-19, 27, 46 ,47 and 57, Nakamura et al. disclose an agent processor (see claim 1 above). Nakamura et al. do not expressly disclose the processor is disposed at said remote site within a supporting structure; wherein the supporting structure include a kiosk; wherein said network includes the Internet. Shwartz et al. disclose an agent processor is disposed at said remote site within a supporting structure; wherein the supporting structure includes a kiosk (i.e. "computer"); wherein said network includes the Internet (see paragraph [0019]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include the agent processor at a remote site within a supporting structure. One of ordinary skill in the art would have been motivated to do this because it "improve the ease and safety of electronic commence for consumers" (see Shwartz paragraph [0014]).



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Referring to claims 20, 21, 28, 29, 48, 58 and 59, Nakamura et al. disclose customer selected transaction (see claim 1 above). Nakamura et al. do not expressly disclose said customer selected transaction includes a payment of a bill or wherein said payment information includes credit card information of a provider of said system. Shwartz et al. disclose said customer selected transaction includes a payment of a bill and wherein said payment information includes credit card information of a provider of said system (see paragraph [0144], lines 23-27). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include customer selected transaction includes a payment of a bill and wherein said payment information includes credit card information of a provider of said system. One of ordinary skill in the art would have been motivated to do this because it “improve the ease and safety of electronic commerce for consumers” (see Shwartz paragraph [0014]).

Referring to claim 21, Nakamura et al. a transaction processor (i.e. “shop agent”), in communication with said agent processor and said provider processing systems via said network, for receiving said customer selection and customer transaction information from said agent processor and facilitating performance of said customer selected transaction, said transaction processor (see col. 4, lines 22-28) including a communication module (i.e. “transmission path”) to access a particular network site of a provider processing system performing said customer selected transaction (see col. 4, lines 36-38) and a transaction information module (i.e. “manager”) to examine said accessed network site determine information required by said accessed network site to conduct said customer selected transaction (see col. 4, lines 65-67; col. 5, lines 1-2).

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Nakamura et al. do not expressly disclose a transaction information module to transmit an information request to said agent processor requesting a portion of said required information or a transaction performance module to receive said customer transaction information from said agent processor in response to said information request and to transmit said required information portion and payment information associated with a third party to said particular provider processing system in order to conduct said transaction. Shwartz et al. disclose a transaction information module to transmit an information request to said agent processor requesting a portion of said required information (see paragraph [0182]) and a transaction performance module (i.e. "back end gateway") to receive said customer transaction information from said agent processor in response to said information request (see paragraphs [0183] and [0184]) and to transmit said required information portion and payment information associated with a third party to said particular provider (i.e. "electronic commerce site") processing system in order to conduct said transaction (see paragraph [0190]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include a transaction information module to transmit an information request to said agent processor requesting a portion of said required information and a transaction performance module to receive said customer transaction information from said agent processor in response to said information request and to transmit said required information portion and payment information associated with a third party to said particular provider processing system in order to conduct said transaction. One of ordinary skill in the art would have been motivated to do this because

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it “improve the ease and safety of electronic commerce for consumers” (see Shwartz paragraph [0014]).

Referring to claims 30 and 40, Nakamura et al. disclose receiving a customer selection of a desired transaction and customer transaction information and processing a customer payment manually tendered at said remote site for said customer selected transaction via an agent processor (i.e. “customer agent”) disposed at said remote site and accessing said network (see col. 4, lines 28-35), receiving said customer selection and customer transaction information from said agent processor and facilitating performance of said customer selected transaction via a transaction processor (i.e. “shop agent”) in communication with said agent processor and said provider processing systems via said network (see col. 4, lines 22-28) wherein the step further includes accessing a particular network site of a provider processing system performing said customer selected transaction (see col. 4, lines 36-38) and examining said accessed network site determine information required by said accessed network site to conduct said customer selected transaction (see col. 4, lines 65-67; col. 5, lines 1-2). Nakamura et al. do not expressly disclose transmitting an information request to said agent processor requesting a portion of said required information or receiving said customer transaction information from said agent processor in response to said information request and to transmit said required information portion and payment information associated with a third party to said particular provider processing system in order to conduct said transaction. Shwartz et al. disclose transmitting an information request to said agent processor requesting a portion of said required information (see paragraph [0182]) and receiving said customer transaction information from said agent processor in response to said information request

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(see paragraphs [0183] and [0184]) and to transmit said required information portion and payment information associated with a third party to said particular provider (i.e. “electronic commerce site”) processing system in order to conduct said transaction (see paragraph [0190]); receiving said customer transaction information from said agent processor in response to said information request and transmitting said required information portion and payment information including credit card information of a provider of said transaction processor to said particular provider processing system in order to conduct said transaction. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include a transaction information module to transmit an information request to said agent processor requesting a portion of said required information and a transaction performance module to receive said customer transaction information from said agent processor in response to said information request and to transmit said required information portion and payment information associated with a third party to said particular provider processing system in order to conduct said transaction. One of ordinary skill in the art would have been motivated to do this because it “improve the ease and safety of electronic commerce for consumers” (see Shwartz paragraph [0014]).

Referring to claim 31, Nakamura et al. disclose an agent processor (see claim 30 above). Nakamura et al. do not expressly disclose requesting verification information from said agent processor and to initiate transaction processing in response to verifying said verification information received from said agent processor. Shwartz et al. disclose requesting verification information from said agent processor and to initiate transaction processing in response to verifying said verification information received from said agent

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processor (see paragraph [0185]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include the step of requesting verification information from said agent processor and to initiate transaction processing in response to verifying said verification information received from said agent processor. One of ordinary skill in the art would have been motivated to do this because it provides security.

Referring to claim 35, Nakamura et al. disclose an agent processor (see claim 30). Nakamura et al. do not expressly disclose determining information required by said accessed network site to conduct said customer selected transaction and generating said information request in the form of an entry for display by said agent processor, wherein said entry screen includes fields to receive said required information portion. Shwartz et al. disclose generating said information request in the form of an entry screen for display by said agent processor, wherein said entry screen includes fields to receive said required information portion (see paragraphs [0172]-[0174]). As for the step of determining information required by said network site, this is an inherent step; that is, before requesting required information (as taught by Nakamura et al.), it must first be determined. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Nakamura et al. the step of determining information required and generating said information requested. One of ordinary skill in the art would have been motivated to do this because it ensures that all the necessary information is provided for verification.

Referring to claim 36, Nakamura et al. an agent processor (see claim 35 above). Nakamura et al. do not expressly disclose retrieving said customer transaction

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information from said fields of said entry screen received from said agent processor, placing said retrieved information in corresponding fields of said accessed network site, and placing said payment information within corresponding fields of said accessed network site in order to tender payment for said customer selected transaction. Shwartz et al. disclose placing said retrieved information in corresponding fields of said accessed network site (see paragraph [0173]), placing said payment information within corresponding fields of said accessed network site in order to tender payment for said customer selected transaction (see paragraphs [0177]-[180]). As for the retrieving step, this is an inherent process; that is, before placing the information in the fields it must have been retrieved. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include the steps of retrieving customer transaction information, placing said retrieved information in fields and placing payment information in fields. One of ordinary skill in the art would have been motivated to do this because it provides convenience to the customer by automatically filling the form.

Referring to claim 37, Nakamura et al. disclose storing information relating to said customer selected transaction within a data storage unit (see col. 6, lines 55-58).

Referring to claim 38, Nakamura et al. disclose an agent processor (see claim 1 above). Nakamura et al. do not expressly disclose receiving confirmation information from said particular provider processing system. Shwartz et al. disclose receiving confirmation information from said particular provider processing system in response to said particular system processing said customer selected transaction and to process said received confirmation information to produce confirmed transaction information for

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transference to said agent processor (see paragraph [0196]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Nakamura et al. to include the step of receiving confirmation information from said particular provider processing system in response to said particular system processing said customer selected transaction and processing said received confirmation to produce confirmed transaction information for transference to said agent processor. One of ordinary skill in the art would have been motivated to do this because it ensures that the provider agrees with the transaction.

Referring to claim 39, Referring to claim 10, Nakamura et al. disclose storing data in data storage unit (see col. 6, lines 55-58). Nakamura et al. do not expressly disclose storing information relating to said confirmation information. However, this difference is only found in the nonfunctional descriptive material and is not functionally in the step recited. The step of receiving confirmation information would be performed the same regardless of the type of data. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *in re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to store any type of data because the subjection interpretation of data does not patentably distinguish the claimed invention.

Referring to claim 40, Nakamura et al. disclose an agent processor (see claim 38 above). Nakamura et al. do not expressly disclose processing said confirmed transaction information received from said transaction processor, via said agent processor, in order to

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display a confirmation that said customer selected transaction has been processed.

However, the step of processing said confirmed transaction information received from said transaction processor in order to display a confirmation that said customer selected transaction has been process is an inherent process. Claim 38 teaches the process of receiving confirmation information; thus, once the information is received it must be displayed.

Referring to claim 50, Nakamura et al. a transaction means (i.e. "shop agent"), in communication with said agent processor (i.e. "customer agent") and said provider processing systems via said network, for receiving said customer selection and customer transaction information from said agent processor and facilitating performance of said customer selected transaction, said transaction processor (see col. 4, lines 22-28) including a communication means (i.e. "transmission path") for accessing a particular network site of a provider processing system performing said customer selected transaction (see col. 4, lines 36-38) and a transaction information means (i.e. "manager") for examining said accessed network site determine information required by said accessed network site to conduct said customer selected transaction (see col. 4, lines 65-67; col. 5, lines 1-2). Nakamura et al. do not expressly disclose a transaction information means for transmitting an information request to said agent processor requesting a portion of said required information or a transaction performance means for receiving said customer transaction information from said agent processor in response to said information request and to transmit said required information portion and payment information associated with a third party to said particular provider processing system in order to conduct said transaction. Schwartz et al. disclose a transaction information means



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for an information request to said agent processor requesting a portion of said required information (see paragraph [0182]) and a transaction performance means (i.e. "back end gateway") for receiving said customer transaction information from said agent processor in response to said information request (see paragraphs [0183] and [0184]) and for transmitting said required information portion and payment information associated with a third party to said particular provider (i.e. "electronic commerce site") processing system in order to conduct said transaction (see paragraph [0190]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include a transaction information means for transmitting an information request to said agent processor requesting a portion of said required information and a transaction performance means for receiving said customer transaction information from said agent processor in response to said information request and to transmit said required information portion and payment information associated with a third party to said particular provider processing system in order to conduct said transaction. One of ordinary skill in the art would have been motivated to do this because it "improve the ease and safety of electronic commerce for consumers" (see Shwartz paragraph [0014]).

Referring to claim 52, Nakamura et al. a transaction performance means (see claim 51). Nakamura et al. do not expressly disclose an extraction means for retrieving said customer transaction information from said fields of said entry screen received from said agent processor, an insertion means for placing said retrieved information in corresponding fields of said accessed network site, a payment means for said payment information within corresponding fields of said accessed network site in order to tender

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payment for said customer selected transaction. Shwartz et al. disclose an insertion means for placing said retrieved information in corresponding fields of said accessed network site (see paragraph [0173]), a payment means for placing said payment information within corresponding fields of said accessed network site in order to tender payment for said customer selected transaction (see paragraphs [0177]-[180]). As for the extraction means, this is an inherent component; that is, before inserting the information in the fields it must have been retrieved. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include an extraction module, an insertion module and a payment module. One of ordinary skill in the art would have been motivated to do this because it provides convenience to the customer by automatically filling the form.

Referring to claim 53, disclose a transaction means (see claim 50 above).

Nakamura et al. do not expressly disclose a confirmation means. Shwartz et al. disclose a confirmation means for receiving confirmation information from said particular provider processing system in response to said particular system processing said customer selected transaction and to process said received confirmation information to produce confirmed transaction information for transference to said agent processor (see paragraph [0196]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose a confirmation means. One of ordinary skill in the art would have been motivated to do this because it ensures that the provider agrees with the transaction.

Referring to claim 54, Nakamura et al. disclose an agent processor (see claim 53 above). Nakamura et al. do not expressly disclose an agent confirmation means.

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However, a agent confirmation means for processing said confirmed transaction information received from said transaction processor in order to display a confirmation that said customer selected transaction has been process is an inherent component. The confirmation module of claim 53 receives confirmation information; thus, once the information is received it must be displayed.

4. Claims 3,4 ,32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura et al. and Shwartz et al. as applied to claim 2 and 1 respectively above, and further in view of US Publication No. 2001/0037311 to McCoy et al.

Nakamura et al. disclose a transaction processor (see claim 1 above). Nakamura et al. do not expressly disclose the transaction processor further includes a selection module to produce a list of transactions selectable by said customer for transference to said agent processor in response to said verification by said verification module. McCoy et al. disclose the transaction processor further includes a selection module to produce a list of transactions selectable by said customer for transference to said agent processor in response to said verification by said verification module (see paragraph [0050]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include the transaction processor further includes a selection module to produce a list of transactions selectable by said customer for transference to said agent processor in response to said verification by said verification module. One of ordinary skill in the art would have been motivated to do this because provides information necessary to confirm the consumer's purchase request.

Referring to claim 4, Nakamura et al. disclose a communication module (see claim 1 above). Nakamura et al. do not expressly disclose the module includes a connection module to process said customer selection and determine a network location of said particular provider processing system. McCoy et al. disclose the module includes a connection module to process said customer selection and determine a network location of said particular provider processing system (see paragraphs [0050] and [0069]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to the system disclose by Nakamura et al. to include a connection module to process said customer selection and determine a network location of said particular provider processing system. One of ordinary skill in the art would have been motivated to do this because it ensures that provider selected by the customer is involved in the transaction processing.

Referring to claim 32, Nakamura et al. disclose an agent processor (see claim 1 above). Nakamura et al. do not expressly disclose producing a list of transactions selectable by said customer for transference to said agent processor in response to said verification. McCoy et al. disclose producing a list of transactions selectable by said customer for transference to said agent processor in response to said verification (see paragraph [0050]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Nakamura et al. to include the step of producing a list of transactions selectable by said customer for transference to said agent processor in response to said verification by said verification

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module. One of ordinary skill in the art would have been motivated to do this because provides information necessary to confirm the consumer's purchase request.

Referring to claim 33, Nakamura et al. do not expressly disclose processing said customer selection and determine a network location of said particular provider processing system. McCoy et al. disclose processing said customer selection and determine a network location of said particular provider processing system (see paragraphs [0050] and [0069]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to the system disclose by Nakamura et al. to include the step of processing said customer selection and determine a network location of said particular provider processing system. One of ordinary skill in the art would have been motivated to do this because it ensures that provider selected by the customer is involved in the transaction processing.

5. Claims 5 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura et al. and Shwartz et al. as applied to claim 1 above, and further in view of US Publication No. 2003/0167392 to Fransdonk.

Nakamura et al. disclose a transaction processor (see claim 1 above). Nakamura et al. do not expressly disclose the processor includes a site verification module to examine said accessed network site and verify that said accessed network site is associated with said customer selected transaction. Fransdonk discloses a site verification module (i.e. "secure device server") to examine said accessed network site and verify that said accessed network site is associated with said customer selected transaction (see paragraphs [0139] & [0140]). At the time the invention was made, it

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would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include a site verification module to examine said accessed network site and verify that said accessed network site is associated with said customer selected transaction. One of ordinary skill in the art would have been motivated to it ensures that provider selected by the customer is involved in the transaction processing.

Referring to claim 34, Nakamura et al. do not expressly disclose examining said accessed network site and verifying that said accessed network site is associated with said customer selected transaction. Fransdonk discloses examining said accessed network site and verifying that said accessed network site is associated with said customer selected transaction (see paragraphs [0139] & [0140]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include the steps of examining said accessed network site and verifying that said accessed network site is associated with said customer selected transaction. One of ordinary skill in the art would have been motivated to it ensures that provider selected by the customer is involved in the transaction processing.

6. Claims 12, 41 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura et al. and Shwartz et al. as applied to claims 11 and 40 above, and further in view of US Publication No. 2003/0126067 to Seifert et al.

Nakamura et al. disclose an agent processor (see claim 1 above). Nakamura et al. do not expressly disclose a receipt module to process said confirmed transaction information received from said transaction processor in order to produce a transaction

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receipt and a printing device to generate said transaction receipt for said customer.

Seifert et al. a receipt module to process said confirmed transaction information received from said transaction processor in order to produce a transaction receipt and a printing device to generate said transaction receipt for said customer (see paragraph [0042]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include a receipt module to process said confirmed transaction information received from said transaction processor in order to produce a transaction receipt and a printing device to generate said transaction receipt for said customer. One of ordinary skill in the art would have been motivated to do this because it provides the customer with a proof of purchase in an event of a dispute.

Referring to claim 41, Nakamura et al. disclose an agent processor (see claim 1 above). Nakamura et al. do not expressly disclose processing said confirmed transaction information received from said transaction processor in order to produce a transaction receipt and generating said transaction receipt for said customer. Seifert et al. processing said confirmed transaction information received from said transaction processor in order to produce a transaction receipt and generating said transaction receipt for said customer (see paragraph [0042]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method disclose by Nakamura et al. to include the steps of processing said confirmed transaction information received from said transaction processor in order to produce a transaction receipt and generating said transaction receipt for said customer. One of ordinary skill in the art would have been motivated to do this because it provides the customer with a proof of purchase in an event of a dispute.

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Referring to claim 55, Nakamura et al. disclose an agent processor (see claim 1 above). Nakamura et al. do not expressly disclose a receipt means for processing said confirmed transaction information received from said transaction processor in order to produce a transaction receipt and a printing means for generating said transaction receipt for said customer. Seifert et al. a receipt means for processing said confirmed transaction information received from said transaction processor in order to produce a transaction receipt and a printing means for generating said transaction receipt for said customer (see paragraph [0042]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include a receipt module to process said confirmed transaction information received from said transaction processor in order to produce a transaction receipt and a printing device to generate said transaction receipt for said customer. One of ordinary skill in the art would have been motivated to do this because it provides the customer with a proof of purchase in an event of a dispute.

7. Claims 13, 26, 42 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura et al. and Schwartz et al. as applied to claims 1 and 30 above, and further in view of US Publication No. 2003/0069857 to Junda.

Nakamura et al. disclose an agent processor to receive a customer selection of a desired transaction and customer transaction information and to process said customer payments manually tendered at said respective remote site and a transaction process or in communication with said agent processor and provider processing systems via said network, and receives said customer selections and customer transaction information



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from said agent processor and facilitates performance of said customer selected transaction (see claim 1 above). Nakamura et al. do not expressly disclose a plurality of agent processor or a transaction processor in communication with said agent processors. Junda discloses a plurality of agent processor and a transaction processor in communication with said agent processors (see paragraph [0038]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include a plurality of agent processor and a transaction processor in communication with said agent processors. One of ordinary skill in the art would have been motivated to do this because it provides convenience to the customers by allowing more than one agent access to the system.

8. Claims 14 ,16, 43 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura et al. and Shwartz et al. as applied to claim 1 above, and further in view of US Patent No. 5983204 to Debe.

Referring to claims 14 and 43, Nakamura et al. disclose an agent process (see claim 1 above). Nakamura et al. do not expressly disclose the agent processor includes a scanner for scanning a customer item including said customer transaction information and transferring said customer transaction information relating to a corresponding customer payment form said customer item into said agent processor. Debe discloses a scanner for scanning a customer item including said customer transaction information and transferring said customer transaction information relating to a corresponding customer payment form said customer item into said agent processor (see col. 4, lines 20-25). At the time the invention was made, it would have been obvious to a person of

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ordinary skill in the art to modify the system disclose by Nakamura et al. to include a scanner for scanning a customer item including said customer transaction information and transferring said customer transaction information relating to a corresponding customer payment form said customer item into said agent processor. One of ordinary skill in the art would have been motivated to do this because the scanner can convert the customer data into digital data.

Referring to claims 16 and 45, Nakamura et al. disclose an agent processor (see claim 1 above). Nakamura et al. do not expressly disclose said agent processor includes a voice responsive device to receive voice signals and facilitate processing of said customer selected transaction and payment by said agent processor in response to said voice signals. Debe discloses agent processor includes a voice responsive device (see col. 4, lines 20-25). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include agent processor includes a voice responsive device. One of ordinary skill in the art would have been motivated to do this because it provides alternative inputs methods.

9. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura et al. and Schwartz et al. as applied to claim 1 above, and further in view of US Publication No. 2004/0143600 to Musgrove et al.

Nakamura et al. disclose a customer visiting a remote site to conduct a transaction (see claim 1 above). Nakamura et al. do not expressly disclose a repeat customer to conduct a second transaction and tender a second payment, and said agent processor further includes a data module to retrieve customer transaction information associated

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with said repeat customer and stored in response to a prior transaction to reduce entry of said customer transaction and facilitate processing of said second transaction. Musgrove et al. disclose a repeat customer to conduct a second transaction and tender a second payment, and said agent processor further includes a data module to retrieve customer transaction information associated with said repeat customer and stored in response to a prior transaction to reduce entry of said customer transaction and facilitate processing of said second transaction (see paragraph [0034]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by Nakamura et al. to include a repeat customer to conduct a second transaction and tender a second payment, and said agent processor further includes a data module to retrieve customer transaction information associated with said repeat customer and stored in response to a prior transaction to reduce entry of said customer transaction and facilitate processing of said second transaction. One of ordinary skill in the art would have been motivated to do this because it provides fast transaction processing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jalatee Worjloh whose telephone number is 703-305-0057. The examiner can normally be reached on Mondays-Thursdays 8:30 - 7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306, 703-746-9443 for Non-Official/Draft.

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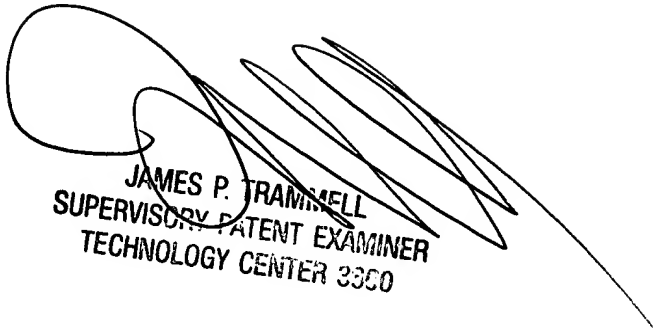
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Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, V.A., Seventh floor receptionist.

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August 5, 2004

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